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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,747	06/23/2003	David Erdelyi	ERDE-110	8984

28584 7590 09/19/2007
STALLMAN & POLLOCK LLP
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EXAMINER

DUFFIELD, JEREMY S

ART UNIT	PAPER NUMBER
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2609

MAIL DATE	DELIVERY MODE
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09/19/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/601,747

Applicant(s)

ERDELYI, DAVID

Examiner

Jeremy Duffield

Art Unit

2609

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ALL.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. Correction is required. See MPEP § 608.01(b).

Claim Objections

2. Claim 27 is objected to because of the following informalities: Line 3, "factors which on which the" needs to be changed to --factors on which the--. Appropriate correction is required.

3. Claim 28 is objected to because of the following informalities: Line 5, "determining the a first" needs to be changed to --determining a first--. Appropriate correction is required.

4. Claim 35 is objected to because of the following informalities: Line 3, "assign a rating a performance" needs to be changed to --assign a rating to a performance--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2609

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 21, 22, and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Hendricks (US 5,798,785).

Regarding claim 21, Hendricks teaches a method for allowing a user to make selections as to segments of video footage which the user would like to view (Col. 3, lines 10-17), the method comprising:

displaying in a first area of a monitor a first interface device where a user can select an amount of time of video clip footage which the user desires to view (Fig. 11a, el. 1162; Fig. 12c);

displaying in a second area of the monitor a second interface device which allows a user to select a quality; i.e. rating; of video clip footage to be viewed (Fig. 11a, el. 1166); and

searching a video database based on multiple factors including a user selection for an amount of time of video clip footage to be viewed, and a user selection for a quality of video clip footage to viewed, to identify video clip footage to be displayed (Col. 30, lines 54-61).

Regarding claim 22, Hendricks further teaches displaying video clip footage identified during the searching of the video database (Col. 32, lines 35-43).

Regarding claim 25, Hendricks further teaches displaying in a third area of the display a plurality of fields, wherein each field corresponds to a different search element, and a user can select or deselect the different search elements, and wherein the factors used in searching the database include those search elements selected by the user (Col. 30, lines 54-61).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 23, 24, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks in view of Klingler (US 5,682,326).

Regarding claim 23, Hendricks teaches all elements of claim 21.

Hendricks does not clearly teach the first interface device includes a slider bar.

Klingler teaches a slider bar for selecting beginning and end points for reference video clips (Col. 6, lines 58-64). Therefore, it would have obvious to one of ordinary skill in the art at the time the invention was made to modify Hendricks' interface device to include a slider bar so as to be able to select video clips of variable user-defined length for later review.

Regarding claim 24, Hendricks teaches all elements of claim 21.

Hendricks does not teach the first interface device includes a slider bar and a box displaying a total number of minutes, which corresponds to the position of the slider bar.

Klingler teaches a slider bar (Col. 6, lines 58-64) and a time box (Fig. 3) which corresponds to the position of the slider bar for use with a video viewer user interface. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hendricks' interface device to include a slider bar and a box displaying a total number of minutes, which corresponds to the position of the slider bar so as to be able to see the exact time position the user wants.

Regarding claim 26, claim is analyzed with respect to claim 23.

Regarding claim 27, Hendricks teaches all elements of claim 21.

Hendricks does not clearly teach the first interface device includes a first slider bar, and the second user interface device includes a second slider bar, and the positions of the first slider bar and the second slider bar are included in the factors on which the searching of the video database is based.

Klingler teaches a slider bar for use with a video viewer user interface (Col. 6, lines 58-64; Col. 7, lines 1-5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hendricks' user interfaces to each have the slider bar taught by Klingler, and to have the searching factors from Hendricks correspond to each slider respectively so as to provide a way of selecting searching factors with the fluid motion of moving a slider instead of manually selecting each factor from a list.

5. Claims 28, 29, 30, 31, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jain (US 5,729,471) in view of Hendricks.

Regarding claim 28, Jain teaches a computer-implemented method for indexing, sorting, and displaying video images (Col. 7, lines 35-38), comprising:

- a. creating a searchable computer database structure for storing video clips and informational data (Col. 1, lines 20-25);
- b. determining a first plurality of video clips for at least one video record where each of the plurality of video clips corresponds to event shown in the video record (Col. 9, line 66-Col. 10, line 8);

c. identifying at least one person appearing in at least one of the plurality of video clips (Col. 7, lines 38-42);

e. storing to the database structure information for each of the plurality of video clips, such that the information can be correlated with the video clips (Col. 8, lines 30-35);

f. storing selected information to the database structure about at least the identified person such that the selected information; i.e. object information; is indexed to a record for the identified person, (Col. 8, lines 30-35) wherein the stored selected information includes a rating of the identified person's performance as shown in at least one of the clips; Jain teaches a system that can replay events such as a fumble for individual players (Col. 8, lines 1-4; Col. 8, lines 9-13).

k. indexing the information in the database to the plurality of video clips (Col. 7, lines 39-42; Col. 8, lines 30-35);

Jain does not clearly teach

l. displaying a view time control box, said view time control box comprising a first user interface device for selecting a total viewing time, and a plurality of search selection boxes, wherein a user can select and deselect Video clips to be searched.

Hendricks teaches displaying a view time control box (Fig. 11a, el. 1130), said view time control box comprising a first user interface device for selecting a total viewing time (Fig. 11a, el. 1162; Fig. 12c), and a plurality of search selection

boxes (Fig. 11a, el. 1166, 1164, 1162, 1158, 1152, 1144, 1134), wherein a user can select and deselect video clips to be searched. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jain's user interface to include a view time control box that comprises a first user interface device for selecting a total viewing time, and a plurality of search selection boxes, wherein a user can select and deselect video clips to be searched so as to be able to limit the user's search by using several factors to find a video clip of the user's liking.

Regarding claim 29, Jain in view of Hendricks (Fig. 11a, el. 1166) further teaches the view time control box further includes a second user interface device, which allows a user to select a quality of performance; i.e. rating; which the user desires to view.

Regarding claim 30, Jain in view of Hendricks (Col. 30, lines 54-61; Col. 32, lines 35-44) further teaches searching for video clips based on a user's selections using the first user interface device and based on the fields selected in the plurality of field selection boxes, to identify video clips to be displayed to the user; and displaying the identified video clips to the user.

Regarding claim 31, Jain in view of Hendricks (Col. 30, lines 54-61; Col. 32, lines 35-44) further teaches searching for video clips based on a user's selections using the first user interface device, a user's selection in the second user interface device, and based on the fields selected in the plurality of field selection boxes, to identify video clips to be displayed to the user; and displaying the identified video clips to the user.

Regarding claim 34, Jain (Col. 20, lines 53-65; Col. 21, lines 15-17) in view of Hendricks further teaches identifying a first set of video clips where each video clip of the set of video clips has the same beginning time and stop time, and synchronizing the beginning and ending points of the set of video clips; and wherein during a displaying of a video clip from the first set of video clips, the display can be switched in real time; i.e. automatically; to a display of any other video clips of the first set of video clips.

6. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jain in view of Hendricks and further in view of Graves (US 5,410,344).

Regarding claim 35, Jain in view of Hendricks teaches all elements of claims 28 and 29.

Jain in view of Hendricks (Fig. 11a, el. 1166) teaches searching an assigned rating in response to a user selection using the second user interface device.

Jain in view of Hendricks does not clearly teach providing a predefined rating structure; and

using the predefined rating structure to assign a rating of a performance of the identified person in one of the plurality of video clips; and

storing the assigned rating in the database.

Graves teaches a predefined rating structure; i.e. ratings from 1 to 10 (Fig. 5); and

using the predefined rating structure to assign a rating of a performance of the identified person; i.e. an actor (Fig. 5); in one of the plurality of video clips (Col. 6, line 66-Col. 7, line 4); and

storing the assigned rating in the database; i.e. personal preference file (Fig. 2, el. 32a; Col. 7, lines 39-43). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hendricks' rating structure and search menu to include the stored viewer-assigned ratings so as to better personalize the video clip database searching process.

7. Claims 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jain in view of Hendricks and further in view of Klingler.

Regarding claim 32, Jain in view of Hendricks teaches all elements of claims 28 and 30.

Jain in view of Hendricks does not clearly teach the first user interface device includes a slider bar.

Klingler teaches a slider bar for selecting beginning and end points for reference video clips (Col. 6, lines 58-64). Therefore, it would have obvious to one of ordinary skill in the art at the time the invention was made to modify Jain in view of Hendricks to include a slider bar so as to be able to select video clips of variable user-defined length for later review.

Regarding claim 33, Jain in view of Hendricks teaches all elements of claims 28, 29, and 31.

Jain in view of Hendricks does not clearly teach the first user interface device includes a first slider bar and the second user interface device includes a second slider bar.

Klingler teaches a slider bar for use with a video viewer user interface (Col. 6, lines 58-64; Col. 7, lines 1-5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jain in view of Hendricks to each have the slider bar taught by Klingler, and to have the searching factors from Jain in view of Hendricks correspond to each slider

respectively so as to provide a way of selecting searching factors with the fluid motion of moving a slider instead of manually selecting each factor from a list.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy Duffield whose telephone number is (571) 270-1643. The examiner can normally be reached on Mon.-Thurs. 7:30 A.M.-5:00 P.M. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hai Tran can be reached on (571) 272-7305. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JSD
September 4, 2007

 HAI TRAN
PRIMARY EXAMINER